



Sen. Toi W. Hutchinson

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1 AMENDMENT TO SENATE BILL 2193

2 AMENDMENT NO. _____. Amend Senate Bill 2193 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Environmental Justice Act.

6 Section 5. Legislative findings. The General Assembly
7 finds that:

8 (i) the principle of environmental justice requires
9 that no segment of the population, regardless of race,
10 national origin, age, or income, should bear
11 disproportionately high or adverse effects of
12 environmental pollution;

13 (ii) certain communities in the State may suffer
14 disproportionately from environmental hazards related to
15 facilities with permits approved by the State; and

16 (iii) these environmental hazards can cause long-term

1 health effects.

2 Section 10. Commission on Environmental Justice.

3 (a) The Commission on Environmental Justice is established
4 and consists of the following 20 voting members:

5 (1) 2 members of the Senate, one appointed by the
6 President of the Senate and the other by the Minority
7 Leader of the Senate, each to serve at the pleasure of the
8 appointing officer;

9 (2) 2 members of the House of Representatives, one
10 appointed by the Speaker of the House of Representatives
11 and the other by the Minority Leader of the House of
12 Representatives, each to serve at the pleasure of the
13 appointing officer;

14 (3) the following ex officio members: the Director of
15 Aging or his or her designee, the Director of Commerce and
16 Economic Opportunity or his or her designee, the Director
17 of the Environmental Protection Agency or his or her
18 designee, the Director of Natural Resources or his or her
19 designee, the Director of Public Health or his or her
20 designee, and the Director of Transportation or his or her
21 designee; and

22 (4) 10 members appointed by the Governor who represent
23 the following interests:

24 (i) affected communities concerned with
25 environmental justice;

1 (ii) business organizations;

2 (iii) environmental organizations;

3 (iv) experts on environmental health and
4 environmental justice;

5 (v) units of local government; and

6 (vi) members of the general public who have an
7 interest or expertise in environmental justice.

8 (b) Of the initial members of the Commission appointed by
9 the Governor, 5 shall serve for a 2-year term and 5 shall serve
10 for a 1-year term, as designated by the Governor at the time of
11 appointment. Thereafter, the members appointed by the Governor
12 shall serve 2-year terms. Vacancies shall be filled in the same
13 manner as appointments. Members of the Commission appointed by
14 the Governor may not receive compensation for their service on
15 the Commission and are not entitled to reimbursement for
16 expenses.

17 (c) The Governor shall designate a Chairperson from among
18 the Commission's members. The Commission shall meet at the call
19 of the Chairperson, but no later than 90 days after the
20 effective date of this Act and at least quarterly thereafter.

21 (d) The Commission shall:

22 (1) advise State entities on environmental justice and
23 related community issues;

24 (2) review and analyze the impact of current State laws
25 and policies on the issue of environmental justice and
26 sustainable communities;

1 (3) assess the adequacy of State and local laws to
2 address the issue of environmental justice and sustainable
3 communities;

4 (4) develop criteria to assess whether communities in
5 the State may be experiencing environmental justice
6 issues; and

7 (5) recommend options to the Governor for addressing
8 issues, concerns, or problems related to environmental
9 justice that surface after reviewing State laws and
10 policies, including prioritizing areas of the State that
11 need immediate attention.

12 (e) On or before October 1, 2011 and each October 1
13 thereafter, the Commission shall report its findings and
14 recommendations to the Governor and General Assembly.

15 (f) The Environmental Protection Agency shall provide
16 administrative and other support to the Commission.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."